

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 ROBERT VON MERTA,

No. C 12-4125 MMC

11 Plaintiff,

**ORDER VACATING NOVEMBER 9, 2012
HEARING ON DEFENDANT'S MOTION
TO DISMISS**

12 v.

13 ALLSTATE LIFE INSURANCE COMPANY,

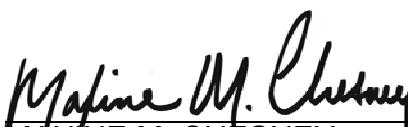
14 Defendant

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15 Before the Court is defendant Allstate Life Insurance Company's "Motion to Dismiss
16 First Amended Class Action Complaint and Motion to Strike," filed October 2, 2012.
17 Plaintiff has filed opposition to the motion, to which defendant has replied. Having read and
18 considered the papers filed in support of and in opposition to the motion, the Court deems
19 the matter suitable for decision thereon, and hereby VACATES the hearing scheduled for
20 November 9, 2012.

21 **IT IS SO ORDERED.**

22 Dated: November 7, 2012


23 MAXINE M. CHESNEY
24 United States District Judge

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